

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JAMES M HAYNES,

Plaintiff,

v.

Case No. 21-cv-1462-bhl

PRESIDENT BARACK OBAMA,

Defendant.

ORDER DISMISSING THE CASE SUA SPONTE

On December 23, 2021, *pro se* Plaintiff James M Haynes filed this case accusing former United States President Barack Obama of harassment. Because the complaint “lacks an arguable basis either in law or fact,” it is frivolous and must be dismissed *sua sponte* pursuant to 28 U.S.C. §1915(e). *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

Under 28 U.S.C. §1915(e):

(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss [a] case at any time if the court determines that . . .

(B) the action or appeal—

(i) is frivolous or malicious.

“A frivolous complaint is one in which ‘the petitioner can make no rational argument in law or facts to support his or her claim for relief.’” *Williams v. Faulkner*, 837 F.2d 304, 306 (7th Cir. 1988) (quoting *Jones v. Morris*, 777 F.2d 1277, 1279-80 (7th Cir. 1985)). Rational arguments in support of a claim for relief are impossible where “the plaintiff’s allegations are so ‘fanciful,’ ‘fantastic,’ and ‘delusional’ as to be ‘wholly incredible.’” *Bussie v. Attorney General*, 2013 WL 3934179, at *2 (W.D. Wis. July 30, 2013) (quoting *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992)). While *pro se* pleadings are held to less stringent standards than those drafted by lawyers, *Haines v. Kerner*, 404 U.S. 519, 520 (1972), not even excessively liberal construction rescues frivolous *pro se* complaints. *See Denton*, 504 U.S. at 33.

Throughout his 97-page complaint, Plaintiff traffics solely in clearly baseless allegations and tangential screeds. His principal claim is that former President Barack Obama has harassed and continues to harass him with an illegal loudspeaker, which his neighbors and fellow citizens

refuse to admit they can hear. (ECF No. 1 at 3.) The President has apparently used the loudspeaker to accuse Plaintiff of homosexual activity (*Id.* at 9) and interrupt his showers. (ECF No. 6 at 1.) Plaintiff also claims the President uses the loudspeaker to traffic heroin. (ECF No. 1 at 7-8.) These allegations clearly reflect psychological delusions and do not form the proper basis for a federal lawsuit. No amount of liberal construction can rescue such frivolous pleadings. Accordingly, the Court will exercise its discretion and dismiss this case *sua sponte* pursuant to 28 U.S.C. §1915(e)(2)(B)(i).

For the foregoing reasons,

IT IS HEREBY ORDERED that the Court finds that Plaintiff's case is frivolous under 28 U.S.C. §1915(e)(2)(B)(i). Accordingly, the case is **DISMISSED**. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin on January 4, 2022.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge